IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.CJ.

WRIT PETITION (PIL) NO. 81 OF 2006

Ramesh Ramlotan Jaiswal .. Petitioner
v/s.
The State of Maharashtra and others .. Respondents

Mr.P.M.Havnur for the petitioner.

Mr.Amjad Sayyed, Assistant Government Pleader for the respondent Nos.1 and 2.

Ms.P.A.Purandare for the respondent No.3.

Mr. A.C. Singh i/by Mr. D.R. Shah for the respondent Nos.6 to 8.

Ms.Rutuja Ambekar i/by Mr. R.V. Govilkar for the respondent No4.

CORAM : R.M.LODHA &
S.A.BOBDE, JJ.

DATED : 24TH AUGUST, 2006.

P.C.

Heard.

2. Upon perusal of the affidavit filed by Narayan Venkatesh Pai, Assistant Commissioner, R/North Ward, J.S.Road, Dahisar (West), Mumbai, we find that section 351 notice has been issued under the Mumbai Municipal Corporation Act to the owners/occupiers. It further transpires that the owners/occupiers have filed civil suit being L.C.Suit No.559 of 2006 before the City Civil Court and that the further proceedings pursuant to notice

under section 351 have been stayed.

2. In the circumstances, we are satisfied that this writ petition does not deserve to be entertained in Public Interest Litigation. It is disposed of accordingly.

(R.M.LODHA, J.)

(S.A.BOBDE, J.)